



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
NEW YORK REGIONAL OFFICE
THREE WORLD FINANCIAL CENTER
SUITE 400
NEW YORK, NEW YORK 10281-1022

June 8, 2010

Via ECF

The Honorable James Orenstein
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: SEC v. Gryphon Holdings, Inc., et al., 10 Civ. 1742 (JBW) (JO)

Dear Judge Orenstein:

On behalf of the Securities and Exchange Commission, we write concerning a motion filed yesterday by the U.S. Attorney's Office in the related criminal case, United States v. Marsh et al., M10- 441, relating to the potential disqualification of Defendant Marsh's counsel in the criminal case and in this action, Jaffe & Falk, LLP and Adorno & Yoss LLP.

Yesterday afternoon, the Commission submitted to the Court a proposed stipulation providing for the release of frozen funds to Marsh's counsel for legal fees and expenses, principally in connection with the criminal case. The stipulation contemplates the immediate release of \$68,000 to Marsh's attorneys. However, since Marsh's counsel may soon be unable to represent him, the release of funds at this stage could result in a waste of frozen assets. Accordingly, in light of the Government's motion, the Commission respectfully requests that the Court reserve decision on the proposed stipulation until the Government's motion is decided.

Respectfully,

A handwritten signature in black ink, appearing to read "Boryshansky", with a stylized flourish at the end.

Joseph Boryshansky
Alexander Janghorbani

Cc: All parties (via ECF)